P. F. 66796

G. R. S. IX-5]

Previous references. 1894-95 ~~192~~ (L. R.)

Later references.

File o. 1059 ½

Serial Nos. 1 to 15

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 15

~~Part~~ B for July 1897.

SUBJECT.

Appeal of ~~Landlord~~ Tenant Appellant Narayan Ramchandra Kulkarni, Kunbi by caste regarding his Khandhagi Remission Case.

WD 2233—GPB—20,000—14-6-20

Indexed
W.B.
Correct

Petition No: 575 dtd 27.7.95

Petitioner - Krishnaiyer Shanbogue of Panchagrama, Kunigal Taluk.

Subject

Application to reconsider an order, communicated to him by this office endorsement No: 1938 dtd 20.6.95, refusing to interfere in the matter of the remission of 1/4 assessment of his land Survey No: 41.

@ DC's Comm's letter dtd 12.4.95

On the 17th January 1935 petitioner's uncle obtained certain lands on Sheriyat tenure and the Sheriyat Court authorized him to construct a dam so as to protect his lands from being inundated by a mountain stream close by. Accordingly petitioner strengthened this dam and used the water to raise such crops on his land. Previous to this he was raising dry crops, and till

sanction for the construction of the tank.

(2) That he is ready to prove that the tank was constructed at his expense

(3) That he was fully under the impression, when he spent about 5000 or 6000 Rs on this tank, that in accordance with the Chief Comr's Circular of 13.7.63, some consideration would be shown him.

(4) That he was not heard before the order, now sought to be reviewed, was passed.

Petr now produces 5 Exhibits A, B, C, D and E.

Ex: A is an Extract from the Register of the Shikarpur Taluk showing the revenue orders sent by the Deputy Superintendent. A copy of the order referred to in this Extract and the Amildar's report thereon in reply are filed with the proceedings. The order following is a translation of the order:—

A reference to this register shows

~~the tank constructed by pet^r~~

4

that the tank ~~has been sanctioned~~
(the tank constructed by the pet^r
at his expense) has been sanctioned
What order sanctioning this has
been received and, ~~if any~~, what
is its number? Send a copy of
the order. If the order has been
received some months ago why
are the accounts sent now? Sub-
mit a report in detail.

This order is dated the 6th Oct: 1866.

In receiving this order, the Amildar's
report, No: 300 d/d 23.10.66, is —
the order sanctioning ~~this~~ the
was received and executed.
Through some overnight there was a
delay in sending the accounts.

4: B is a copy of the order ⊗ sent by the ⊗ No: 45 d/d 26.6.65.
Deputy Superintendent to the Sirsi-
Yandunga Amildar. A copy of this
order, signed by the then Amildar
of Sirsiyandunga is filed with the
proceedings. The order stands
thus — Amildar's report, ~~not~~
No: 79 in reply to order No: 133,
reporting that Krishnaiyar
had did not put in any ~~for-~~
mal darkhast and obtain

the Survey Settlement in 1881, he paid dry assessment. At the Settlement wet assessment was charged and since then Petr. has been complaining. He says that as he got the tank constructed at his own expense, he, according to Chief Comrs Circular of 13.7.63 was not liable to pay wet assessment. The Survey Superintendent charged wet rates because Petr. had not obtained Govt. sanction to construct the tank. On the 5th Novr. 1888 Hon'ble the then Offg Comr passed the following order — "The Cutting to be considered to be Govt. property, and the Petr. to pay the proper assessment due by him". Petitions were presented to Mr. Cufs successors; but they all said that this order set the matter at rest. Under these circumstances the 2nd Councillor declined to interfere in the matter. Petr. now applies for a review of this order, declining to interfere, on the following grounds: —

(1) That he has obtained Govt.

5

the necessary sanction according to rules, was read. It was quite wrong in this part to commence the construction of the tank without obtaining sanction. Both as he may have done this through ignorance, he has been censured this time. If now after inspection it is found that the supply of water to any serv. or other tanks is not interfered with, a regular application in the form prescribed by Major Puckle should be submitted. &c &c.

Copy of a

4: This is a list ~~showing~~ of old tanks original
till 30th Sept. 1866. The last daily
forms part of the record.
Under the head of "Particulars
how this has obtained sanction
for the tank" name is mention
In the column of remarks it is
entered — "When the construction
of the tank was begun he did
not put in any darkhast
and no kandayam was fixed by
the District authorities. &c &c."

There is an entry at the bottom
of the list showing that it was
despatched on 2.7.66

January 1866 refusing to see the stones. ~~On the 19th Feb: 1866 the Dy. Supt. asked the Amildar to submit~~ The petr. in his ⊗ depositions before the Amildar admits that the lands referred to in the above correspondence is the one in No: 55.

Again on the 19th Feb. 1866 the Dy. Supt. asked the Amildar to submit a register of private lands in the prescribed form. This was submitted on the 20th Feb: 1866[X]. It was mentioned in the register that as ~~Varadarajapa~~ petr's land was under ~~const~~ construction, the details could not be entered. The register was therefore returned and the Amildar was[+] asked to inspect the place and submit the register in proper form.

A reminder No: 50 was sent on 12th June 1866. Thereupon the Register was submitted on 2nd July 1866 (See Amildar's report No: 1247 that date). ~~It~~ C, the ~~map~~ produced by the petr. was

⊗ 12.2.88 and 30.6.88.

X. No: 106

X. Amildar's report No: 464

+ Order No: 342 D/D 12-3-66

submitted on 2.7.66 and refers to the same matter. On the original of E: C is an entry in red ink saying that that list was an enclosure of Amildar's report No: 124. Thus E: C refers to the tank which was being constructed ie the tank in No: 53:

The order of 5th Oct: 1866 (which is referred to in E: H) ~~was issued~~ ~~on~~ refers to the register and treats of only one tank.

As ordered by the Rev. Councillor on the Remittal, the Dy Commr was asked to send all the records referred to in Enclosure A and ~~in reply~~ ~~he states~~ sends ~~only~~ that he sends the order No: 190 and the Amildar's report No: 300 only and says ⊗ that no other records are forthcoming ~~in~~ either in the District Office or in the Taluk.

⊗ No: 537 d/d 21.12.9

Petr in his × depositions before the Amildar says that he did not obtain any sanction to construct the tank in No: 41 and the Shrotriem Kowl of 1835 (a copy of which is filed)

× 12.1.88 and 30.6.8

Ref: D is a copy of the Kunigal Amildar's report to the 1st Comr. d/d 2.7.88.

Ref: E is the copy of an order issued to the Sheristar on 10.9.87.

The facts are that the petr has 2 lands of his own — one in No: 41 and one in No: 55. When constructing the tanks in 1865 petr applied to the Amildr of Kadlipadeya on 10th April to give him some old stone for Rs 10. The Amildar reported the matter to the District officer on 15th April 1865. Order No: 133 d/d 8.4.65 was sent to the Amildar asking him if Krishnaiya had applied for sanction and if sanction had been accorded. In reply thereto Report No: 79 was sent — the Amildar reporting that Krishnaiya had not obtained sanction. Then Order No: 45 d/d 26.6.65 (Ref: F) containing the want of sanction was sent. Thereupon the Amildar submitted his report No: 352 d/d 6.1.66 and an order* was sent on the 11th

* No: 277

Precis

Petition no 545 dated 27. 7. 1895

Petitioner : Krishna Bhatta Shanbhag of Pancha-grama Kunigal Taluk

. . . . . .

In his petition no 1938 dated 11th January 1895 addressed to Govt the petitioner prayed for confirmation of dry assessment on lands irrigated by a tank in Survey no 41 of Kodavathi alleged to have been constructed by him.

In reply the following endorsement was issued to the petitioner :

" The Government decline to interfere in the matter as there is nothing on record to show that he obtained permission for the construction of the tank referred to by him".

The petitioner

appeal in the
was filed in 1895
when the under charging
the land with wet
assessment was
started in 1889 -
The appeal is clearly
out of time -
This refers to dry
wet assessment
The Survey Supt
classed & settled
the lands assessed
in 1881. The latter
apparently
acquiesced in it
& he is therefore
bound by it.
Proceeding to
Mr Hart sanctioned the work
under the Circular
1863 - 21 - 6 - 95
All he did
was done was
apparently to
grant an existing
tank. The petitioner
has now submitted
any remission -
we hope for this
time ? we shall be glad
to hear the Petr. Yours
truly
11 - 7 96

2

now applies to Government for a review of the above order on the following grounds:

I That he has obtained Govt. Sanction for the construction of the tank

II That he has spent about five or six thousand rupees for the construction of the tank hoping that Govt. would show him some consideration in the matter of assessment on lands irrigated by that tank in accordance with the Chief Commissioner's Circular of 1863

III That he was not heard before the Govt passed the above order

In his petition to the Deputy Commr. dated the 24th April 1892 the petitioner prayed that any assessment might be levied on 11 acres 36 gs classed as wet and assessed at Rs 38-0-0

Enclosure A of the No. 545 is an extract the Register of 1866 show orders received from the Dist. Office. The following found in the said enclosu

"[illegible] No. 558 of [illegible] [illegible] No. 1009 dated [illegible] [illegible] No. 5603 dated [illegible] [illegible] No. 537 of 21.1 [illegible] dated

The Sunkur Deputy C in his letter No. 537 of 21.1 states that the records to in the (above) Enclosu are not forthcoming both the records of the Taluk a the Dist. Offices.

The Dy Commr. states in that from the copy of the dated 5.10.66 to the Amil Hulijundunja and from .dars Report No. 300 dated it will be seen that the tank is therein referred t been a sanctioned tank

(~~Page 186 of the Alleg~~

~~Revenue Manual~~ apparently that sanction been obtained for its co and that if the grant of in the shape of a remi a portion of the assessme intended such concessio have been sought for o on the introduction of t of 1863.

The Amildar's reply Kanarese over abo to was that it was o by oversight (vide dated 23.10.66)

9

authorized the construction
when this bank was breached
in 1883 and in 1887 he applied
that Govt should repair it
or that, if he repaired it, only
any assessment should be charged
or 11/14 th assessment remitted.
But the bank was not repaired
by Govt; but he got it re-
paired at an outlay of about
Rs 1500. No order seems to have
been passed about the assess-
ment.

A.S.
16/1/96

at the survey settlement, as the said land was situated below the tank which he had constructed in survey no 61 of Kodavath at his own cost.

(18) In his petition dated the 11th May 1888 to the Amildar of Kumgal the petitioner stated that he held the following lands in the village of Kodavathi

S. no.	dry : assd.	wet : assd.
39	9.2 : 6.12.0	0.16 : 1.4.0
77	0.36 : 0.8.0	2.14 : 7.8.0
78	0.14 : 0.4.0	3.14 : 10.12.0
79	7.13 : 8.8.0	———
55	15.37 : 19.0.0	———
69	9.5 : 9.8.0	———
80/1	———	2.12 : 7.12.0
80/2	———	2.0 : 6.4.0
68	———	2.11 : 6.8.0
56	3.21 : 3.0.0	———

that on the above lands he constructed two tanks ~~and~~ two anicuts at a total cost of about Rs 6000, that at the survey settlement which took place in 1881-82 10 acres 6 gs out of the above lands was classed as wet and assessed at Rs 33.8.0 at the rate of Rs 3.4.0 per acre

The petitioner states in the above deposition that he constructed a dam on no. 39, that the water from this dam and the water percolating through the waste weir of the tank in Survey no. 41 irrigates the wet land in S. no. 55, that he has constructed a small tank and a Kapile well in no. 55 and a dam in no. 79.

It is not clear from the statements of the petitioner what is the actual extent of land irrigated by the tank in Survey no. 41 and what is the amount of relief claimed by him.

The statement now submitted by the Deputy Commr. gives the following particulars of lands for which petitioner claims "Chauthai" remission

Survey no.	wet extent	assessment
39	0·16	1·4·0
77	2·14	7·8·0
78	3·14	10·12·0
69		
80/1	2·12	7·12·0
80/2	2·0	6·4·0

It is further stated in the Remarks Column of the statement:

"In the survey accounts the total wet extent was 11 acres 36 gs assessed at Rs 38-0-0. But an extent of 1 acre 20 gs has since been classed as dry. It is in respect of the wet area of 10 acres 16 gs that the "chauthai" concession is sought. The whole of this area derives irrigation from the Katte in Survey No. 41. In addition to this area, the Katte is reported to afford irrigation to Survey No. 78 (wet 2 acres 11 gs) which is Shanbhog Service Inam land."

It would appear from the old papers in the file that in the year Jaya 1834-35 the petitioner's uncle Appayya was granted a land known as "Vishnu Katte Kempa Lakkana hola", that he was also authorized to construct a dam on that land and that no special permission had

× number not given boundaries not g

vide copy of Sagar dated 17th

* vide amildar's (Exhibit D)

13

and that in accordance with the Chief Commrs Proclamation of 1863 dry assessment alone should be levied on the said lands 6fs.

In his deposition dated the 12th February 1888 before the Mamlatdar of Kumpal the petitioner stated that at the survey settlement survey No 41 - the bed of the tank - was treated as kharab and the cultivable land survey No 39 was subdivided into three numbers 39. 77 & 78, that out of those three numbers the extent given below ~~the lands which was then~~ classed as wet: ~~was as detailed below:~~

(16)

Number	Extent	assessment
39	0-16	1-4-0
77	2-14	7-8-0
78	3-14	10-12-0
	6-4	19-8-0

and that he raised wet crops not only on the above lands classed as wet but also on certain lands classed as dry as shown below:

1 acre 2 fs out of No 39 } irrigated by
2 acres 36½ out of No 55 } tank in S. No 41
35 fs out of No 69 irrigated by the tank on S. No 55

4 acres 33½ fs

~~vide petition~~
no (6) dated 2.6.65
(Exhibit B)

(13) (Exhibit C)

vide Petn of 14.1.8
& the Dy Commr

no 105

(15)

however
been obtained to construct
the tank. In a state-
ment submitted by the
Auditor to the Deputy Supt
on 2nd July 1866 it is stated
that Krishnayya does not appear to
have applied for and obtained per-
mission to construct the
tank, and that the land below
that tank and the tank
bed had been granted to
Krishnayya's (Petr's) father
Ramayya for dry cultivation.

The petitioner having
applied for remission of
¼ assessment on the lands
irrigated by the tank in
question some correspond-
ence took place regarding
it. On the 27th May 1852
the Deputy Commr ordered
that if the alleged tank
in question was one
constructed by the Petr at
his own cost he might
produce the order authori-
-zing such construction.

In January 1858 one
Viraraundi complained to
the Deputy Commissioner
that Krishnayya had
unauthorizedly constructed

Settlement he paid ~~only~~
dry assessment only, that
at the Survey the tank bed
survey no 41 was treated as
Kharab and Survey no 39
was subdivided into nos
39, 77 & 78 of which 6 acres
48s were assessed as wet
land, that he had all
along raised wet crops, that
he had not since obtained any
~~special~~ order to Construct
the tank, that he had
merely extended & improved
the "ane" whose construction
had originally been authoris-
-ed, that he had lately
executed some repairs to
the "Katte" that in his
durkhast dated 10th April
1865 he had applied for
permission to construct a
tank in Survey no 55 and
raise wet crops on the lands
irrigated by it without being
required to pay additional
assessment in accordance
with the Chief Commrs
Circular no 227 and that
he did not know what final
ved on that

In connection with Vairamuttu's complaint above referred to the petitioner pleaded before the Jamabandy officer that he raised wet crops on lands classed as dry by the aid of water from the two "katies" which he had constructed at his own cost.

The Jamabandy officer ordered that the petitioner should produce the orders if any showing that the tanks in Survey No. 41 belong-ed to him, - otherwise the tank should be treated as Govt property. 3.4.88

(17)

With reference to the above order Krishna Iyengar (Petr) presented a petition to the Amildar stating that the following were the "pakkale" in his favour:-

(18)

I Proclamation dated 13th July 1863 issued by the Chief Commissioner

II Sagawali Patta dated 17th January 1835 issued to Petr's uncle Appa-jayya.

III Kanmi jasthi Patti of the year Krodhana

a lands in Kodavathi
and raised wet crops on
certain lands assessed at
dry rates.

The Deputy Commr
forwarded the petition
to the Assistant for disposal.

no 15
30-1-88

On the 12th February
1888 Shanbhag Krishnayya
(Petr) deposed before the
Assistant of Kumjal that
in the year Jaya 1834-35
his uncle Appajayya had
obtained lands Survey nos
394 41 of Kodavathi on
Shreya tenure, that some
time afterwards those lands
were registered in the name
of Petr's father Ramayya,
that Appajayya and Ramayya
had constructed a dam
on those lands and raised
dry crops there, that in
the year Khara the (Petr)
converted the "Are" into a
tank at a cost of about
two thousand rupees and
brought the lands which
could be irrigated thereby
under wet cultivation,
that until the Survey &

20

(19)

In another depression
dated 30th June 1883 before
the Assistant the petitioner
states that he merely
improved the "one" tank
Construction had been
authorized in the year 1902
as per Sagunali Patta
already alluded to, that
when in 1883 the tank
had out of repair there
was a question as to who
should execute the repairs
— Govt or the petitioner —
and after some Correspond-
-ence the Assistant reported
to the District office that
he had given an Endorse
-ment to the petitioner that
the Kanakgadar (Petr) alone
should execute the repairs,
that it was in fact on
the Authority of the Sagunali
Chit of the year 1902 and
that of the Subsequent
orders which directed him
to execute repairs to the
tanks in question that
he spent a large amount
of money — Rs 6000 for the
tank in S. No 41 and Rs 600
for that in S. No 55.

× note In 1883 the Petr appears to have been required by Govt to execute repairs to the tanks (vide enclosure report no 47 dt 2.7.85)

2

vide page 2 of the Precis

In April 1892 Krishna Iyengar presented his petition* already alluded to and after some correspondence he was informed that the matter had been already decided in the Dy Comm's order dated 6-11-89 above quoted.

Against this order the petitioner appealed to Govt in his petn no 1938 dated 11th Jany 95.

The Sunkum Deputy Comm's letter no 785 dated 12th April 1895 gives briefly the facts of the case.

*addressed to Govt

~~1896~~ In their petition* no 3581 dated 13th April 1896 Hundi Thimma Gowda & others of Kodavatti state that the matter in question was not Constructed by Krishna Iyengar alone, that they also executed the Earth work &c and that in case Chauthaji remission be granted to Krishna Iyengar they must also be paid their

proportionate cost of labour for the construction of the Katte.

They state further that Krishna Gowda is not an honest man, and that he utilizes water from the above referred Katte for irrigating about 8 acres of land out of Survey no. 55 though he pays only dry assessment for it.

25.6.

1st

On the 2d July 1888 the Assistant Collector submitted Krishnaji's depositions & the Deputy Comm.r and solicited orders in the matter.

The Deputy Comm.r Mr. C. Gress thereupon passed the following order: ——— (20)

"The Cutting to be considered Government property and the petitioner to pay the proper assessment due by him. No extra amount seems to be necessary now." 5. 11. 89

The following is the order issued to the Assistant Collector of Kurnigal:-

"As the land was constructed without obtaining permission it should be considered as Govt property. At the survey full assessment has been imposed.

"Therefore levy the assessment due on the additional land brought under cultivation. The levy of a fine in addition appears to be unnecessary"

Sd C. Gress
Dy Comm.r

(10)

24

Petition No 365 of 95-96.

Petitioner

Krishnaiengh ...

Application for reconsideration of the order of Govt. of 14-6-95 regarding Petitioner's claim to renewal of wet assessment under his private tank

List of papers.

(1) Appeal petition of 11.1.95
(2) Offl Memo
(3) Dy Comm's report of 12.4.95.
(4) Encl to Petr of 21.6.95.
(5) Review application
(6) Offl Memo of 7.9.95.
(7) Dy Comm's report of 21.12.95.
(8) Docket to Dy Comr of 25.2.96.
(9) Dy Comm's report of 21.5.96.
(10) Office Note.
(11) Precis.
(12) Petition 365 of 13.4.96 from Amma Corpn.

Mr Lane has two tanks, one
on 41 & the other on 55
For the former there was
a protecting dam but the
construction of which the
Pet's father had obtained
Damages.
The Pet's without
warrant for any further work on
improved the dam, & on that basis
a work constructed a tank which at
the present time is more than 10 acres of
which the survey Deputy has declared
only 6 odd as wet. In addition
to this Pet's has another tank on
55 which irrigates 35 gores only
2069 - This is I think classed as dry -
& it is with reference to this that the
complt took place with the Inspecting
Officer. It is thus certain that for
the tank on 41 there is no statutory
Damages but when the application
repairs was urged the Dept authorities
refused to sanction any money being
that the Pet's might pursue repairs
thereof. In 1880 Mr Cole declined to
reduce the assessment till 1895
or for a long time after 1880 there was
no appeal - Please verify these
facts carefully -
I want
to have the following added informing
(1) Do these tanks in anyway

interfere with any existing
Gas works of vendor

(2). What is the source of water for these lands - are they dependent upon the production of any gas work.

(3). What has the purchaser to say in regard to these lands.

(4). To what lands & what extent in these lands does the Gas Co claim reduction or remission of assignment. The source giving also to each of these lands its present assignment must be specified.

24/8/96 WMS

Draftsman

Drafted SL 3/9

Dy Govt's No 567.

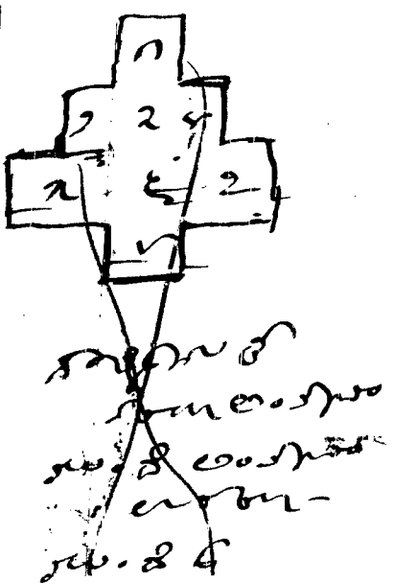
Lands of Govt. ~~Leasing~~ ~~the tract~~, He seems, who entitled to receive a quarter of remission on such lands as have been irrigated with the water of Mhow Kalleys & also to receive a similar contribution when the borders are others. The liability to keep the channels in good repair & remove all matters which encroach. And the right of way to & from the Govt lands upon final orders are passed by Govt on the matter

28/4/97

It has been ascertained that Mhow Kalleys do not interfere with any Govt work of irrigation. Neither do they receive any water the produce of such Govt work. It is not practicable to take Govt water there up

28/4/97

28/4/97
Draft letter
& Survey sheet
Mg 29/4/97



27

Deputy Commrs No 567

dated 26-12-96

Vote by the 2nd Councillor. (as per Sl No

The facts are as stated in my note of the 24th instant I state the same in the letter of reference.

The only defect is that the petitioner has not taken any action formally to construct the banks or Retaining wall. Part that defect seems to have been made more than made up by the act of God almost simultaneously the acquisition in that they entitled to receive the day assessment till the Survey Settlement and also allowed the petr to repair the bank when such repair was necessary. The petr has laid out a large sum of money and all the circumstances of his case to entitle him to receive equitable consideration at the hands ——

Continued

29.

L. R. 10 5-94-1 Gen. Serial No. 32.],

1895 111

Land Registry 3 29 1938

Name of Petitioner. Nischinessa Shankaggi

Village. Kadasiddi

Taluk. Kumigal,

District. Dharwar

Date of Decl. 11-1-95.

Date of Receipt. 2-2-95

Date of Disposal.

No. of Enclosures (two) Nil

Two Petitions Shankaggi

ABSTRACT.

Submitted to Council

Respectfully

in triplicate

from date of receipt

Petition praying appeal against decision dated 6-11-89.

Case for Board's report

of

72195

Appeal against the decision of the Deputy Commissioner declining to show any concession to the petitioner in the matter of levying assessment on his lands which he had constructed at his own cost in the absence of any agreement with the Collector. Commissioner directed that the petitioner should be allowed to enjoy the concession for a period of 40

(A) Please see enclosure for the petitioner's application dated

Gen. Serial No. 31.]

1894-95 13689.
13740/2

From L & R 105-94-3.
The Deputy Commissioner
Tumkur District.

To
The Chief Secretary to the
Govt. of Mysore.

Dated 12th April 1895.

Despatched

Received

Enclosures No. 2 & record

General No.
No. 885

His official memo: No. Pet: 1146
of the 8th February 1895.-

Reporting on the petition of Krishnaiengar, Shanbogue of Kodavalli in the Kunigal Taluk, praying for the remission of 1/4th of the wet assessment put on his land Survey No. 41 in the said Village.—

Rev. dete
What are the rules in the subject
the construction
remote lands?
Is any one here
Yes

1/6/95

it is necessary
whether this
might be
Dy Com
order of
1800 lbs.

Read 16/4
Grant
Relief
withdrawn

Drafted 12-19/6

No. 885
2 + record

Tumkur District
Deputy Commissioner's Office
Dated 12th April 1895.

To,

The Chief Secretary to the
Government of Mysore.

Sir,

With reference to your official Memo: No. Pet. 1146 dated the 8th February 1895, forwarding for report and submission of the entire proceedings, petition from Krishnaiengar, Shanbogue of Kodivatte in the Kunigal Taluk, praying for the remission of one-fourth of the wet assessment put on his land bearing Survey No: 41 in the said village, in consideration of his having constructed the tank irrigating it at his own cost, I have the honor to state as follows:-

2. On the 17th January 1835 the Amildar of the late Huliyurdurga Taluk, granted the said land to the petitioner's uncle on Shraya tenure and permitted him to construct an ané to save the land from being inundated by a jungle stream. About 1874-75, the petitioner strengthened the bund with stone revetment and began to raise ... cultivation on the land by irrigating

Confirmed & the receipt of rental
from him Rs. Refunded.

Merge specified against Assessment Yr.
84 of 29-9-94 from Collector Nagpur
to petitioner-Kachhia as per

Yr. Kachhia Collector's permission dated
that your claim for Charity exemption for En-
-tertaining a Kutcha Gutter has not yet
been disposed of -

Hon'ble Court may please graciously Suspend
and the proceedings pending this Petition
till that, Petition Yr. of 1-9-95 are finally
disposed of. Petitioner
to Kachhia No. 21 of 1-8-95 dated
hoped in the Court accordingly

In your above Petitioning petitioner
Kachhia No. 105 of 1-9-95 are specific requisite
an Estimate has been framed for Construc-
-tion of the above Gutter but this Estimate
is not approved by the Competent Authority
for Sanction.

As Kachhia No. 21 of 1-8-95 above referred to
that Since the Kachhia was Constituted
Municipality it should be considered as pending
but during this period the Petitioner has
personally Handed over the original Petition
Petitioner Should be directed to Produce
Fresh Petition Hon'ble Court may please
in the matter.

MC

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. [illegible]

dated [illegible] received at the Dewan's Office, is forwarded, together with its enclosures, to [illegible]

By Order,

[illegible]

Chief Secretary.

BANGALORE, [illegible] 1895.

M.G.C.P, Bangalore.—6-5-94.—1,000.

MYSORE ... PETITION DEPARTMENT
CAMP Mysore
REG'D. NO. 329
DATE 22-1-94

COURT FEE

[illegible]
11-1-94

[illegible]

AS 90 ...94-95

[illegible] 24-1-96

[illegible]

1 [illegible]

[illegible]

2 [illegible]

[illegible]

3 [illegible]

[illegible]

4 [illegible]

it from the water retained by the land. He was _____ paying only dry assessment for the land till the Reserve survey. At the survey in 1881 water rate was fixed thereon since then he has been contending for the grant of concession, provided for in the late Orig Commissioner's circular No. 23, dated the 3rd March 1883. The Survey Department, at the time of settlement did not recognise his claim therefor, that is, for the abatement of assessment on the ground that the petitioner did not obtain permission from the authorities to construct the bund in question for purposes of irrigation. The matter having come up before the Deputy Commissioner, Mr. C. Crew passed an order dated the 5th November, 1883 to the effect that the cutty should be considered to be Government property and that the petitioner should pay the proper assessment due by him. Again petitions were presented to me. But I said I could not interfere with the order already passed by my predecessor. Against this the petitioner now appeals to Government.

3. The petition with its enclosure received with the memorandum reply

and

and the record of the case are submitted herewith. —

I have the honor to be,
Sir,
Your most obedient Servant,

Deputy Commissioner.

38

No.

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT,

L. R. 105-94-4

The 189

Endorsement granted to Krishna Iyengar, Sheristadar of Kadaserite in the Kunigal Taluk.

in reply to his Petition Registered No. ~~446~~ 1938 dated 14th January 1895 praying for ~~[illegible]~~ remission of the assessment on his land Survey No 41 in consideration of his having entered thereon a Kathi at his own cost.

Petitioner is informed that the Govt decline to interfere ~~in the matter~~ ~~[illegible]~~ as there is nothing on record to ascertain the extent, if any, of the loss sustained by the cultivator of the land referred to in

Memo.

'By Order'

19-6-95

Chief Secretary.

Copy forwarded to the Deputy Commissioner Kunigal for information in reference to his No 535 of 12th April 1895 returning the enclosures. Mysore.

M.G.C.P.B—19-2-95—1,000

19/6/95

19/6/95

19/6/95

that the Amildar's report regarding the construction of the tank in question was read, that Krishaiyengar had done a great mistake in doing so but may be pardoned as he seemed to have done so by oversight; that a register should be submitted as prescribed by Major Buckle and that the Slaves should be put up to auction over the amount proposed by Krishaiyengar and that a report be made about it.

Exhibit C Copy of extract from Register of Village Tanks for the month ended 30th Septr 1865.

In the remarks column it is stated that the tank was constructed without Sarkar sanction, that the lands in the bed of and below the tank were dry lands and that wet crops could be grown after the repair of the tank.

Exhibit D. Kingal Amildar's report to the Dy Comr of Tumkur dd 2nd July 1868. States that upon examination of Krishnaiyengar he produced a Shraia Patta dating 1835 which gives a right to his construction

five exhibits A. B. C. D & E.

of the tank and the irrigation of the land below, that Krishnaiyangar has built the tank on the authority of the Patta, that when the tank was breached in 1883 he applied to Govt either to repair the tank or allow him to repair it at his own cost on the remission of a portion of the Kandayam, but that he was ordered that no remission would be made and that he ought to repair the tank at his own cost & that Krishnaiyangar said that he built the tank on his Kandayam land and as such was entitled to a remission according to the Notification of 1863.

Exhibit E Copy of Order No 472 of the Shekdar of Ammatoor by the Amildar of Kunigal 9/10/96 states that if the lands belonged to Krishnaiyangar's ryotts they ought to help him in repairing the tank, & that first he has to repair the tank at his own cost and that the Shekdar should make a report after the repair of the tank.

In neither of the exhibits there is any mention made of Krishnaiyangar having obtained the sanction of Govt before building or repairing the tank.

Vor.
29/8-

Pro. 1938.
24776 3/21-6-95 A.C.

1917

Repeat postage

40

[Gen. Serial No. 32.]

189

(57)

No. 354

Name of Petitioner. [illegible]

Village. Pachalagunta

Taluk. Kanigiri

District. Nellore

Date of Arzi. 24-4-95

Date of Receipt. 28-4-95

Date of Disposal.

No. of Enclosures. 6

ABSTRACT.

Prays for reconsideration of the order communicated from the office under C.P. 5038 of 20th Sept. 1895 rejecting his request for remission of assessment of land Rs. 41 for tank work executed a tank mazra.

R
12/8/95

A/c 14/8.

The Petr states that he [illegible] obtained the orders [illegible] for building the tank [illegible] of which he produce

Petr. 1938.
24776 3/21-6-95 A.C.

Repeat postage

23/8

The Petitioner appears to have received an advance of Rs. 41 for the Pachalagunta tank mazra

Rs. 41 = Rs. [illegible] of the sum named by the Petitioner in the accompanying Petition dated 24-4-95

Returned

Sent [illegible]

Petr [illegible]

Rs. 41

1-9-95

Read 3/9. As the Petitioner appears to have received the amount mentioned in the enclosure A of the letter noted in the margin, he is not entitled to remission

4/9/95

Draft 4/9/95

L. R. 1935-94-5

US

Gen. 31.]

REVENUE DEPARTMENT
Gl. No. 4881
Pet. No. 426
26 DEC. 95
DEWAN'S OFFICE.

1895.

From Deputy Commissioner
Tumkur District.

To Revenue Secretary to
the Govt. of Mysore

Dated 21st December 189
Despatched 23rd do
Received

General No. 507
No.

Enclosure No. 1 V. file

His Offl. Memo No. Pet 6
of the 7th September
1895.

Submits the record
connected with the
petition of Krishniya
Shanbogue of Puncha
-grama in the Kunigal
Taluk.

Peter
24/12/95

Submitted. For
orders of the 2nd Comm-
issioner.

HBL
9/1/96

It is necessary to
show what steps
are the Vernacular
and attached with
the report - Ekka
never prepared
Please
10-1-96

L.R. 100-94-7.

No: 537
Rev: IV. file

Deputy Commissioner's office
Tumkur district
Tumkur 21st December 1895

To The Revenue Secretary to the
Government of Mysore.

Sir,

With reference to your official Memo No. Rt/610 dated the 7th September 1895 forwarding a petition received from Krishnaiengar, Shanbogue of Punchagrama village in the Kunigal Taluk in the matter of his claim to the remission of 1/4th assessment on land No: 41 irrigated by his private tank and requesting submission of the records referred to in enclosure A to the petition, I have the honor to submit herewith the records of the case and Kunigal Amildars No: 922/899 dated the 23rd November 1895 with its enclosure, and to state that the file referred to in the enclosure A of the petition on under reply is not forthcoming both

five exhibits A, B, C, D & E.

2. That he relied upon the notification of 13th July 1865 and giving Sadi No 350 of 24/4/92 from the Deputy-Commissioner of Amritsar and the Survey Superintendent's letter of 12/1909 of 18/5-/92;

3. That he does not know what Records were sent to the Canal's office from the Taluq and District offices;

Prays that he may be given a hearing to prove that he obtained the orders of Govt. for constructing the tank.

Exhibit A. Copy of Extract from the District From Register of 1856.

In the column of subject it is stated that upon examination of Krishnayya's Register the tanks in question seem to have been sanctioned and the date of the receipt of order & copy of the order is asked for, and a query is put as to why the accounts were submitted so late though the tanks were sanctioned long ago.

In the column of remarks it is stated that it is explained by a receipt

Exhibit B. Copy of order No 45 from the Amildar of Amritsar dated 7th Taluq.

It is stated that Krishnayyangar had applied for some stones for the repair of his newly built tanks

44

Def 610 / draft

10-9-95

(6)

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

L.R. 105-94-6.

The accompanying Petition No. 545 dated 27-7-95 received at the Dewan's Office from Krishna Iyengar, Shanbhog of Panchagrama village, Kunigal Tk, praying for review of Govt order regarding the remission of assessment of land No 41, for having constructed a Katte thereon,

is forwarded, together with its Annexures enclosures, to the Deputy Commissioner Tumkur Dt, with the request that he will be so good as to forward all the records referred to in the enclosures of this petition.

2. The petition, with its enclosures should be returned.

By order,

7-9-95

Revenue Secretary

BANGALORE, September 1895.

Gen. 31.]

1896

From

L.R. 105-94-8

To The Deputy Commr.
Dumka District

Dated 25th February 1896

Despatched 27

Received

General No. 7727
P. No. 1547

Enclosure No. one Vernr file

Has the honour to state that the vernacular file received with his letter no 537 dated 21st Decr 1895 does not contain the papers noted in the margin and to request that they may be forwarded to this office as early as practicable.

2 The papers do not show in respect of which lands the petitioner asks for reduced assessment and from which Katte or Kattés they are irrigated. In the petition addressed to the Deputy Commr dated 24th

tition dated 14-11-81
cuted by Krishnayya
bhy of Panchapana
ial Taluk to the Dy Comm.
der to Amildar thereon
no 308
Amildar's report no 65
dated 26th April 1882
Deputy Comm's order
thereon no 165
ferred to in Endorsement
86 dated 23d May 1882
ued to petitioner by the Amildar
petitions presented and
ders passed thereon between
882-83 and 1887-88 if any

April 1892 the petitioner claimed this relief in respect of 11 acres 36 guntas assessed at Rs 38, but the lands comprised in this area are not specified, nor does it appear that they are all under the kuttle in No. 41.

~~Request that these~~ particulars may be furnished as well as a statement showing the numbers, extent and assessment of these lands (1) according to accounts prior to the Survey settlement and (2) according to Settlement accounts.

The vernacular file above referred to is here with forwarded for reference & resubmission.

By order

(Draft as per Asst. Secy's orders)

Secretary

BCh
25.2.96

in the records of this office and those of the said Secretary.

2. From the City of the order dated the 5th October 1863 to the examination of Examiners forwarded by the Surveyor of Municipal as well as the Surveyor's report of 30 dated the 28th idem endorsed thereon, it will be seen that the Petitioners Bank is therein referred to as having been sanctioned: That meaning appearing that authority had been obtained to the construction of the same. If the grant of a concession in the shape of a permission of a portion of the pipeconnection were intended, such Concession would have been sought for and obtained on the introduction of the Bill of 1863.

The petition with its enclosures

is herewith returned.

I have the honor to be

Sir

Your most obedient Servant

Jno Narain Rao

Dy Deputy Commissioner

Tumkur District

EV

2001

51

Gen. 31

REVENUE DEPARTMENT
Gl. No. 3 2 5 5 1
C. No. 742
18 MAY 96
DEW. N'S OFFICE

From Veluri Commissioner
Sindia District

To Secretary to the Govt of Mysore. Rev. and Rev. Department

Dated 2. 2nd March 1896.

Despatched 2nd ——do——

Received

General No. 3 0 5
No.

Enclosure No. one Petition

Via Petn No. ——— Date ———

25 February 1896.

Submits certain papers and a statement showing the particulars of lands in respect of which the remission of one fourth assessment is prayed for by Kodiyati Krishnaiyar—

Petn No. 23/1896

Rec'd 23/5

Submitted, Rejected.

Wak. 27/5

R. No. Krishnamachar—
Para. regarding a Petition
No. Petition forwarded by Asst.
Commr Sindia to Commissioner
with report & Register Proceedings
Dtd 2/5

A separate precis embodying
also the information since
received from the Dy Commr
is submitted

Rec'd 25-6 M. Petition from No. 3581 from
Irimbi Jamba & Others of Kadavatti
Village in this connection is also
submitted herewith for orders.

Ap 1/3/96 Submitted with reference to
the 2nd Commissioner's order in
Petn No. 5765

Ap 1/3/96 Ap 8/7

3-7-96.

L.R. 105-96-2

No 906

Cur 15 at file

Tumkur District.

Deputy Commissioner's Office.

Tumkur 2nd May 1886.

To

The Secretary to the Govern-
-ment of Mysore - General
and Revenue Departments.

Sir,

With reference to your Docket
No [illegible] dated 25th February 1886,
I have the honor to submit
herewith the marginally noted
papers and a statement show-
-ing the particulars of lands in
respect of which the remission
of one fourth assessment is pray-
-ed for by petitioner Vasavate
Krishnappa, and to state that the
petitioner has not presented an
petition between 1882-83 and 1884-85
to the Deputy Commissioner -

2- The remainder file owing with
Amildar's office is No [illegible] dated
25th April 1886 is herewith resubmitted.

I have the honor to be
Sir,
Your most obed't Servant -

[illegible]
Dy. Com. Deputy Commissioner

1. Petition of Vasavate Krishnappa dated 15th March 1886 with enclosures.
2. Deputy Commissioner's Circular No 308.
3. Amildar's Report No 65 of 26th April 1886.
4. Deputy Commissioner's Register No 135 (No A No 135 in annual list of Deputy Commissioner's Register).

for which Proprietary remission is claimed by Secretary's letter No. ---27/P1547 dated 5 February 1940.

Survey Accounts							Remarks.
	Garden		Total				
	Extent	Assessment	Extent		Assessment		
			ac	g	Rs	as	
4	-	-	7	18	8	-	On the Survey Account the total wet extent was 7 ac 36 g as against 3 ac 3 g. But an extent of 4 ac 33 has since been classed as dry. It is in respect of the wet area of 10 acres and odd gunta that the Proprietary Concession is complete. One whole of this area derives irrigation from the Katte in Survey No 41. In addition to this area, the Katte is reported to afford irrigation to Survey No 78 (wet 2 ac 1 g) which is Khan-bhogue Service Inam Land.
8	-	-	3	28	1	-	
-	-	-	9	5	9	8	
12	-	-	2	12	1	12	
4	-	-	2	-	6	4	
8	-	-	29	33	50	8	

Vishwanatha Rao

Asst. Settlement Commissioner

EN.

Statement showing the particulars of Land

Krishnagar of Kashimata called for in

Taluk	Pargana	Village	Name of Khatedar	As per last account							As per Present							
				No.	Description of Land	Extent			Assessment			Survey No.	Extent		Assessment		Extent		Assessment
						Cawnies	Cottahs	Chittacks	Rs.	A.	P.		Cawnies	Cottahs	Rs.	A.	Cawnies	Cottahs	Rs.
Krishnagar	Samuttur	Kashimata	Krishnagar Division of Krishnagar	22	Aus	-	5	6	6	15	2	39	9	2	6	12	-	16	1
				23								11	-	36	-	8	2	14	1
												18	-	14	-	4	3	4	2
				16	Aus	-	3	3	3	-	1	69	9	5	9	8	-	-	-
				1	do:	-	1	10	-	10	1	80 Dak No:	-	-	-	-	2	11	1
				18	do:	-	2	3	1	4	5	Dak No 2	-	-	-	-	2	-	6
				65	do:	-	6	-	5	4	-								
			Total	1	9	2	1	3	1				19	17	17	-	10	16	33

Quintin

2nd Feby 1906

57 (14) draft proceedings

Proceedings of the Govt of Bombay

L. R. 105-94-12

Read:-

Correspondence ending with letter No 916 dated 21st May 1896, from the Deputy Commissioner, Dharwar district, submitting certain additional records, and a statement giving the particulars of the lands for which exemption is claimed by Petitioner Veerappa Shankrap of Panchagrama in the Hungund Taluk.

— u —

Order. No 3003 Rev 453 3/6/96

The Deputy Commissioner is requested to furnish Government with the following additional

so small that it will not pay Government to
do any work to these Kattés.

2. The vernacular records are herewith returne

I have the honor to b
sir,
your most obedient servai

for Deputy Commissione
Tavoy District

additional information:—

(1) Do the tanks in Survey Nos 41 and 45 in any way interfere with any existing port works of irrigation?

(2) What is the source of water supply for these tanks? Are they ~~the producers of~~ fed by any port-work?

(3) What has the Executive Engineer ~~to say to~~ objection as regards these tanks?

2. The vernacular records are returned for reference and transmission

Redcafe 16/9/96
Secretary

C2

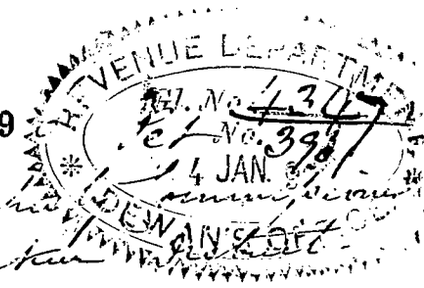
To
The Deputy Commr
Tuticorin District.

KR.

Lr.

L. R. 105-96-11 (15)

56 189



From The Secretary to the Government of Travancore - Genl and Rev: Departments -

To The Secretary to the Government of Travancore - Genl and Rev: Departments -

Dated 26th December 1896.

Despatched 28th " "

Received

General No. 567

No.

Enclosure No. Vernacular papers.

Govt Pro. No 3003 7/16
10455/1
September 1896.

Furnishes additional information regarding lands upon which remission of wet assessment is claimed by Ramalingam, Krishnama of Kodavati, Kunjal Taluk -

Recd Nil Dem
29/12

Submitted
[illegible]

Copy put up in noting

Recd 5/1

3rd Circle reference (2nd Revl Commissr's) Proceedings Petitions 965 of 95-96

7/1/97

Subd to 2nd Councillor

WR

7/1/97

Recd 6 Pm.
7/1/97.

The facts are as stated in my note of the 24th ulto & state the same in the order of reference.

Mr Cowley represents that the Petitioners did not obtain sanction formally to construct the tanks or sluices in question. But that before they were taken up by the Revenue Authorities in 1871 they had been in existence for many years & that the introduction of the Survey settlement also allowed the Petitioners to bring the lands which had been watered by the tanks under cultivation. The Petitioners have laid out a large sum of money and all the circumstances of this case show that it would be inequitable and unreasonable at the

61

that the Petr did not obtain Govt
sanction formally to construct
the tanks or kattes in question.
But that defect seems to have
been more than made up by
the acts of Govt almost amount-
-ing to acquiescence in that
they continued to receive
the dry assessment till the
introduction of the Survey
Settlement and also allowed
the Petr to repair the tank
when such repair was
necessary. The Petr has laid
out a large sum of money
and all the circumstances of
his case entitle him to
receive equitable consider-
-ation at the hands of Govt.
He seems to be entitled to
receive a quarter remission
on such lands as have been
irrigated with the water of
these

these kattes and also to receive
a similar contribution when
the holders are others. The
liability to keep the tanks in
good repair of course attaches
to this concession.

(3) It has been ascertained
that these kattes do not
interfere with any Govt. work
of irrigation; that they do not
receive any water supply
from such Govt. work and that
it is not profitable for the
Govt to take them up. (Orde Dy Comm^r's letter No 587 dd 26 Dec

Q. The Vernacular records
should be returned.

I have &c

'Dft' For Secretary

Bbn.
3/5.

No: 567
Encls: N. File

Deputy Commissioner's office,
Tumkur District
Tumkur 26th December 1895

To

The Secretary to the Government
of Mysore
General and Revenue Departments.

Sir,

With reference to Government Proceedings No 3003 Fet 255 dated 6th September last, regarding lands upon which ½ remission of wet assessment is claimed by Shanbogue Krishnaiya in the village of Kodavatti in the Kunigal Taluk, I have the honor to report:-

(1) that the Kattes in Survey Nos 41 and 55 do not in any way interfere with any existing Government works of irrigation;

(2) that they receive their supply of water from the surrounding high ground and not from any Government work;

and (3) that the Executive Engineer is of opinion that the Katte in Survey number 41 is in fair order, that in number 55 is practically breached and that the assessment in both cases is

So

(16) ✓ 59 (1 + records)

(1854)

No 7580 / G.F. 66-96 / 4.5.97.

From The Secretary to the Govt of Mysore

To The Supt of Rev Survey in Mysore

L.R. 105-94-12

Dated May 1897.

Sir,

In forwarding herewith the accompanying file of records relating to the prayer of Krishna Iyengar, Shanbhog of Savelda Grama in the Kunigal Taluk, for Chauthasi remission of assessment on certain lands irrigated by the tanks in Survey Nos 41 & 55 in consideration of his having constructed the tanks at his own cost, I have the honour to request that you will be so good as to favour Govt with your views before final orders are passed by Govt in the matter.

(2) The facts are as follows:-

(1) There are two tanks one on S. No 41 & the other on S. No 55.

For

p & be returned when no longer required

1 pertains to 7784 - 1896-80 : 30 (vide Diwan's letter No 906 dated 21st May 1896)

reply is herewith returned.

I have the honor to be
Sir
Your most obedt Servant
J W Grant
Supt Mysore Revenue
Survey

For the former there was a protecting dam for the construction of which the Petitioners father had obtained sanction. The latter without waiting for any further order of Govt informed the dam, and on that base-work constructed a tank which at the present time irrigates more than 10 acres of which the Survey Deptt has classed only 6 and add as wet. In addition to this Petitioner has another tank on Jno 55 which irrigates 35 gunties out of his 60. This is classed as dry. It is true enough that for the tank on Jno 41 there has no express sanction but when the need for its repair was urged the Dist Authorities refused to sanction any money and ruled that the Petr might himself repair it. In 1888 Mr Evans declined to reduce the assessment. Till 1895 or for a long time after 1895 there was no appeal. In any appeal the 1895 Govt declined to interfere on the ground that sanction had not been obtained by Petr. Petr has applied for sanction (2). The only defect is

63

Gen. Serial No. 2[illegible]

Gl. No. 18220

RECEIVED 1897

From The Sahukar Chikkaya Chetty

L. R. 105-96-13.

To

The Chief Secretary to the Govt—
Dewan of Mysore.

Dated Bangalore 4th June 1897

Despatched

Received

Enclosures No. and file of cor[illegible]

General No 512
No.

In reply to Letter No 2350 of 2-6-97
29 66-96

SUBJECT. one file

Submitting his opinion on the subject of granting remission of assessment under the tanks of Kanchigrama in the Kunigal Taluk.

References—(to be entered only in the Dewan's Office).

Petition Pr
4-6-97

Re on 10/6
AK

(Dft of 7th Instt
D.
14/6/97.

Submd
Asst
14/6

The arrangement of records is quite confusing.
(1) No loose papers wherein
(2) There are two pieces in the file they shd be separated & placed at the top. In addition the pieces shd invariably be placed at the top
14/6/97

Asst 14/6 The file is arranged as directed above
14/6/97

Submitted to 2d Councillor with reference to order on paper serial No. 15 in the file below
19/6/97

Draft prepared
Secret Sanction
recommended.
Order to be made in the
relevant Sections
of the Manual.
Draft order with
Secy. also
15.7.97

Secy. Endorsement to Petn
15.7.97

పర్లాకిమిడి తహసీల్దారుగారు గతమందిపురదాఖలుగల్గిన 1892 వ సంవత్సరం కలక్టరీకోర్టు యిచ్చిన తీర్పుకు వ్యతిరేకంగా ఈ కేసు 1909 వ సంవత్సరంలో కొత్తగా వచ్చినది.

3. ఈ తీర్పుకు వ్యతిరేకంగా కోర్టులో అప్పీలు చేసుకోవడానికి ఆ తీర్పు ఇచ్చిన తేదీ నుండి 90 రోజులు కాలపరిమితి ఉన్నది. ఈ కేసులో ఆ తీర్పు ఇచ్చిన తేదీ నుండి 90 రోజులు కాలపరిమితి దాటిపోయిన తరువాత ఈ కేసు వచ్చినది. కనుక ఈ కేసు కొట్టివేయడానికి తగినది.

4. కాల్వ గురించి వ్యవహారం ఇప్పుడు కొత్తగా వచ్చినది. కాల్వ గురించి ఇంతకు పూర్వం ఎప్పుడూ ఎవరూ ఫిర్యాదు చేసినట్లు ఆధారాలు లేవు.

5. ఈ విషయాలు అన్నీ ఆధారంగా చూస్తే యిచ్చిన తీర్పు సమంజసంగా ఉన్నది. అప్పీలు కొట్టివేయడానికి తగినది అని నా అభిప్రాయం.

6. సాక్ష్యాలు అన్నింటినీ కాగితాలపై

కొట్టివేయబడినది

No 3812

Survey Office
Bangalore 7th June 1897

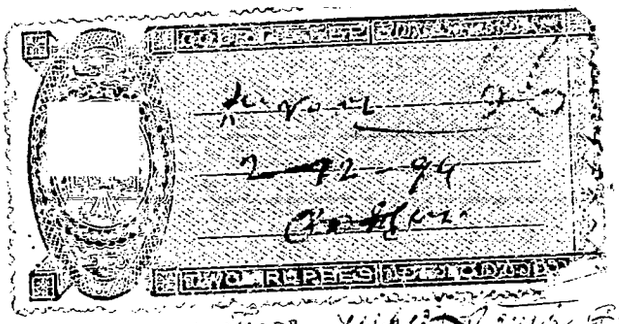
To

The Secretary to the
Government of Mysore
General & Revenue Depts

Sir

In replying to your letter
No. 9350 dated the 24th May
R. 66-96
1897 I have the honor to state
that, under the circumstances
I am of opinion that the
Petitioner should be allowed
1/4 remission of the wet
assessment under the tanks
in Survey No 105 & 106 in
in question.

2 The file of records
received with the above under-
reply



MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. NO. 545 R
DATE 1.8.25

72 — 8

Proceedings of the Govt. (Revenue)

Read :-

Petition registered No. 545 of 27-7-95 :- from Krishniengar, Shanbhog of Kodavatti Pramana Panchayatana, Kunigal Taluk, praying for reconsideration of the order of Govt., communicated to him by Endorsement No. 1938 of 21-6-95, declining to interfere in the matter of his claim to the remission of one-fourth assessment on certain wet lands irrigated by his private tanks in Survey Nos. 41 and 55 of Kodavatti village.

L.R. 105-94-14

(2) Correspondence ending with letter No. 567 of 26th December 896 from the Dy. Comr. Tumkur District, and the records received therewith.

(3) Letter No. 812 of 7th June 1897 from the Superintendent, Revenue Survey, stating his opinion that the petitioner should be allowed one-fourth remission of the wet assessment under the tanks in Survey Nos. 41 and 55.

Order :- G.O. 31-32 dated 20-7-97 (97)

End recds

Here are two tanks one on Survey No. 41

and the other on Survey no. 55. For the former there was a protecting dam for the construction of which the petitioner's father had obtained sanction. The petitioner without waiting for any further orders of Govt improved the dam and on that base-work constructed a tank which at the present time irrigates more than 10 acres of which the Survey Depart. has assessed only 6 acres odd as wet. In addition to this petitioner has another tank on Survey no. 55 which irrigates 35 Candies out of Survey no. 69 assessed as dry. It is thus evident that for constructing the tank on Survey no. 41 there was no express sanction, but when the need for its repair was urged the District Authorities refused to sanction any money and ruled that the petitioner might himself repair it. In 1888 Mr. Crespe declined to remove the assessment. Till 1895 or for a long time after 1888 there was no appeal. On an appeal in 1895 Govt. declined to interfere on the ground that formal sanction had not been obtained by petitioner. Petitioner has applied for a review of this order.

2. The only defect is that the petitioner did not obtain Govt. sanction formally to construct the tanks or bunds in question. But that defect seems to have been more than made up by the acts of Govt. almost amounting to acquiescence in that they continued to receive the dry assessment till the introduction of the Survey Settlement and also allowed the petitioner to repair the tanks when such repair was necessary. The petitioner has laid out a large sum of money and all

2

A. 18వ శతాబ్దపు నేరశిక్షాస్మృతులలో ... [illegible] ... ఉదాహరణలు ... [illegible] ...

... [illegible] ... 45 నేరాలు ... [illegible] ...

... [illegible] ... 1888 నాటి ... [illegible] ... 47 నేరాలు ... [illegible] ...

... [illegible] ... 472 నేరాలు ... [illegible] ...

No. 6145/6

20-7-97

75 P

L.R. 105-94-15

[illegible]

[illegible]

[illegible]

[illegible] 1897 [illegible]

[illegible] H. O.

For Secy.

71

74

The Commissioner of Police Central Police Station Perth

Sir

I have the honour to report for the information of the Commissioner that I received a complaint from Mr Sutherland of Lake View Terrace Subiaco that his house had been broken into and robbed of a quantity of jewellery and other valuables on the night of the 19th inst. I proceeded to the house and made enquiries and found that entrance had been effected by forcing open the back door with a jemmy. The following articles were stolen:

1. A gold watch and chain with the initials J.S. engraved on the back of the watch.
2. A diamond ring.
3. A pearl necklace.
4. Two gold bangles.

I have also received information that a man answering to the description of the thief was seen loitering in the vicinity of Lake View Terrace on the night in question. I have taken steps to trace the stolen property but have not been successful in finding any of it.

I have the honour to be Sir Your obedient servant

C2

J. Sutherland

To

The Commissioner of Police
Central Police Station
Perth

The Superintendent
Fremantle Prison

20-7-97